

Applicants have amended claim 1 to more particularly point out the invention. Support for this amendment is found, for example, in the Specification at page 16, lines 22-26.

Restriction Requirement

The Examiner required an election between two inventions. The first invention, covering claims 1-17, is directed to a prosthesis. The second invention, covering claims 18-27, is directed to a method of making a prosthesis. Applicants affirm without traverse their provisional election to group I - claims 1-17. Applicants have canceled claims 18-27 without prejudice in view of the restriction requirement.

Rejection over Weatherford et al.

The Examiner rejected claims 1, 5-7, 11-13 and 15-17 under 35 U.S.C. § 102(b) as being anticipated by Weatherford et al. Applicants have amended claim 1 to indicate that the polypeptide growth factor is associated with the substrate by chemical binding. Applicants submit that Weatherford et al. does not disclose association of a polypeptide growth factor with a substrate using chemical binding.

Since Weatherford et al. does not disclose the claimed invention, Applicants respectfully request the withdrawal of the rejection of claims 1, 5-7, 11-13 and 15-17 under 35 U.S.C. § 102(b) as being anticipated by Weatherford et al.

Rejection over Weatherford et al. and Carpentier

The Examiner rejected claims 2-4 and 8-10 under 35 U.S.C. 103(a) as being unpatentable over Weatherford et al. in view of U.S. Patent No. 4,648,881 to Carpentier et al. (the Carpentier patent).

The Examiner indicated that Weatherford et al. discloses the invention substantially as claimed and that the Carpentier patent discloses the use of glutaraldehyde with porcine heart valves for optimal tanning. The Examiner indicated that it would have been obvious to one of ordinary skill in the art to incorporate glutaraldehyde and porcine heart valves of the Carpentier patent with the invention of Weatherford et al.

Applicants submit that Weatherford et al. does not disclose the claimed invention as discussed above. Applicants also submit that there is no teaching or suggestion in Weatherford et al. when combined with the Carpentier patent that results in the claimed invention.

There is no teaching or suggestion in either cited reference related to chemical binding of a polypeptide growth factor with a substrate. The discussion in Weatherford et al. relates to the use of fibrin glue with VEGF and heparin. The Carpentier patent relates to the use of glutaraldehyde for crosslinking tissue heart valves.

Since the combination of Weatherford et al. and the Carpentier patent does not teach or suggest the claimed invention, Applicants respectfully request the withdrawal of the rejection of claims 2-4 and 8-10 under 35 U.S.C. § 103(a) as being unpatentable over Weatherford in view of the Carpentier patent.

Claim objection

The Examiner objected to claim 14 as being dependent on a rejected base claim. Applicants submit that amended claim

1 is now allowable. Thus, Applicants respectfully request the withdrawal of the objection to claim 14.

CONCLUSIONS

Applicant submits that this application is in condition for allowance, and such action is respectfully requested. The Examiner is invited to telephone the undersigned agent to discuss any questions or comments that the Examiner may have.

The Commissioner is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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